2877
JFW**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | | |
|---|----------------------|------------------------|---------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/077,616 | |
| | Filing Date | February 15, 2002 | |
| | First Named Inventor | Yoshiaki Togawa | |
| | Art Unit | 2877 | |
| | Examiner Name | Pham, Hoa Q | |
| Total Number of Pages in This Submission | | Attorney Docket Number | 10720-7 |

ENCLOSURES (check all that apply)

| | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement Under 37 CFR 1.97(e) non-U.S. patent publications return receipt postcard |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

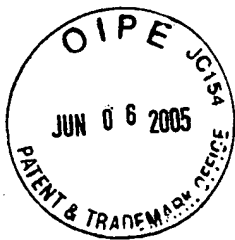
| | | | |
|--------------|--|----------|--------|
| Firm | Brown Raysman Millstein Felder & Steiner LLP | | |
| Signature | <i>Vanessa J. Owen</i> | | |
| Printed Name | Vanessa J. Owen | | |
| Date | June 1, 2005 | Reg. No. | 44,274 |

CERTIFICATE OF TRANSMISSION/MAILING

| | | | |
|---|------------------------|------|--------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Signature | <i>Vanessa J. Owen</i> | | |
| Typed or printed name | Vanessa J. Owen | Date | June 1, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|------------------------------|---|------------------------|-------------|
| In re Application of: | Yoshiaki Togawa | Examiner: | Pham, Hoa Q |
| Application No.: | 10/077,616 | Group Art Unit: | 2877 |
| Filing Date: | February 15, 2002 | Docket No. | 10720-7 |
| Title: | P ARTICLE SIZE DISTRIBUTION MEASURING APPARATUS AND METHOD | | |
| | | Customer No. | 30076 |

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR 1.97(e) FOR SUPPLEMENTAL IDS

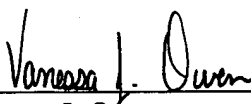
Dear Sirs:

Enclosed is Form PTO/SB/08 listing two (2) references that were cited in an Office Action in Japanese Application No. 2001-042383, a counterpart foreign application of the above-referenced U.S. patent application. The communication was mailed on March 22, 2005, and this IDS is being filed within three months of the mailing.

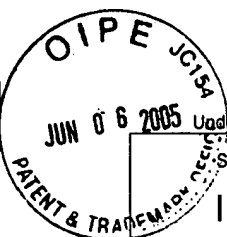
In accordance with 37 CFR 1.97(e), no fee is believed due with respect to this communication. However, if it is determined that a fee is due, the Commissioner is authorized to charge payment of any such fees required or credit any overpayment to Deposit Account No. 502811.

Respectfully submitted,

Date: June 1, 2005



Vanessa J. Owen
Reg. No. 44,274
Brown Raysman Millstein Felder & Steiner LLP
1880 Century Park East, Suite 1200
Los Angeles, California 90067-1621



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | | | |
|---|---|----|---|--------------------------|-------------------|
| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/077,616 |
| | | | | Filing Date | February 15, 2002 |
| | | | | First Named Inventor | Yoshiaki Togawa |
| | | | | Art Unit | 2877 |
| | | | | Examiner Name | Pham, Hoa Q |
| Sheet | 1 | of | 1 | Attorney Docket Number | 10720-7 |

| U. S. PATENT DOCUMENTS | | | | | |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | 1. | | | | |
| | 2. | | | | |
| | 3. | | | | |
| | 4. | | | | |
| | 5. | | | | |
| | 6. | | | | |
| | 7. | | | | |
| | 8. | | | | |
| | 9. | | | | |
| | 10. | | | | |
| | 11. | | | | |
| | 12. | | | | |
| | 13. | | | | |
| | 14. | | | | |
| | 15. | | | | |
| | 16. | | | | |
| | 17. | | | | |
| | 18. | | | | |
| | 19. | | | | |
| | 20. | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|--------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | | JP 59-160741 | 09-11-1984 | Toshiba Corp | | |
| | | JP 2001-33376 | 02-09-2001 | Horiba Ltd | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.